

Exhibit 1



MITCHELL SILBERBERG & KNUPP LLP
A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

Mark C. Humphrey
Attorney-at-Law
(310) 312-3265 Phone
(310) 231-8315 Fax
mxh@msk.com

November 4, 2020

BY HAND

Jeffrey Conway
8837 W Vernon
Phoenix, AZ, 85037

Re: Infringement of Bungie Intellectual Property

Dear Mr. Conway:

We are counsel for Bungie, Inc. (“Bungie”). Bungie is the publisher, developer, and owner of the intellectual property rights in and to the video game *Destiny 2* and its various expansions, including the upcoming *Beyond Light*.

It has come to our attention that you are engaged in unlawful and malicious conduct that violates Bungie’s rights. Specifically, we understand that you, through a company called Phoenix Digital Group LLC, are operating a service called “AimJunkies” that offers various cheats intended to be used with *Destiny 2*. According to the AimJunkies website (<https://cheats-hacks-aimbot.aimjunkies.com/destiny-2/>), the service allows *Destiny 2* players to utilize “undetected” cheats such as aimbots, player/NPC ESP, item ESP, no recoil, and other cheats and hacks to gain advantages in the game without fear of being banned. We understand that the service is being offered to players for \$34.95 a month. We also are aware of your involvement with other sites offering *Destiny 2* cheats, including but not limited to “mombotcheats.com” and “virtual-advantage.com.”¹

The cheats that you offer are specifically designed to interfere with gameplay and otherwise impair the user experience of online games such as *Destiny 2*. This is no small matter for our client. Bungie’s business, and specifically the *Destiny* experience, depends upon player engagement with a vibrant community that has been painstakingly developed and nurtured over several years. As such, your activities—which upset and irritate scores of dedicated *Destiny* players—have caused and continue to cause serious injury to the value and integrity of Bungie’s products and services.

Moreover, the foregoing activities are unlawful and violate the Limited Software License Agreement (“LSLA”) that you entered into with Bungie,² and may further constitute copyright infringement, both direct and contributory. You also are intentionally interfering with Bungie’s

¹ See <https://mombotcheats.com>; <https://www.virtual-advantage.com/destiny-2-cheats-aimbot-esp>.

² Among the License Limitations contained in the LSLA, users agree that they will not “hack or modify the Program, or create, develop, modify, distribute, or use any unauthorized software programs to gain advantage in any online or multiplayer game modes[.]” See <http://www.bungie.net/7/en/Legal/SLA>.



Jeffrey Conway
November 4, 2020
Page 2

contracts with its users by encouraging them to use these cheats and violate the LSLA, as well. Furthermore, given the boasts on the AimJunkies website that your cheats are undetected, it is abundantly clear that your conduct is knowing and willful, which may subject you to statutory penalties under United States copyright law.


Lest there be any doubt as to the severity of this matter, Bungie has engaged us as outside litigation counsel and is prepared to promptly enforce its rights against you. Accordingly, demand hereby is made that you ***immediately cease and desist*** from any and all of the foregoing activity, as well as any other unauthorized activities in which you may be partaking in connection with any of Bungie's games and services, whether through AimJunkies, mombotcheats.com, virtual-advantage.com, or any other cheat suite or service. Furthermore, demand hereby is made that you identify the amount of all revenue generated in connection with the foregoing activity, as well as any other activity through which you may have exploited Bungie's intellectual property without authorization. Bungie has every intention of obtaining your ill-gotten gains, to the fullest extent possible under the law, should you fail to comply.

Confirm, ***in writing and within five (5) days of receiving this letter***, that you will comply with these demands. I advise you to take this seriously, as you may not have another opportunity to resolve this matter short of legal action.

In that regard, note that under applicable law, you are required to maintain any and all electronic or hard copy documents, communications, and electronic data and information which may be relevant to Bungie's claims, including but not limited to hard drives, databases, web pages, server logs, spreadsheets, programming code, correspondence, postage logs, user "chat" messages, email and other electronic communications, instant messages, word processing documents, notebooks, social media posts, calendars, telephone logs, Internet usage files, off-line storage or information stored on removable media, information contained on laptops (whether business or personal), and network access information. To the extent that you engage in the manual or automated deletion/destruction of emails, you must forego doing so or disable any automated system that you utilize, in order to ensure the preservation of all such documents and information. Failure to abide by these requirements may result in penalties against you and form the basis of legal claims for spoliation.

Nothing contained in this letter is intended to be, nor should it be deemed to constitute, a waiver or relinquishment of any rights, claims, defenses, or causes of action possessed by Bungie, all of which expressly are reserved.

Sincerely,


Mark C. Humphrey
Attorney-at-Law for
MITCHELL SILBERBERG & KNUPP LLP

MCH/szm



MITCHELL SILBERBERG & KNUPP LLP
A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

Mark C. Humphrey
Attorney-at-Law
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(310) 231-8315 Fax
mxh@msk.com

November 9, 2020

VIA FEDEX & E-MAIL (ADMIN@AIMJUNKIES.COM;
PHOENIXDIGITALGROUP2012@GMAIL.COM)

David Schaefer
5973 Jacques Drive
San Jose CA, 95123

Re: **Infringement of Bungie Intellectual Property**

Dear Mr. Schaefer:

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David Schaefer
November 9, 2020
Page 2

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Nothing contained in this letter is intended to be, nor should it be deemed to constitute, a waiver or relinquishment of any rights, claims, defenses, or causes of action possessed by Bungie, all of which expressly are reserved.

Sincerely,



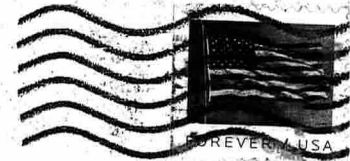
Mark C. Humphrey
Attorney-at-Law for
MITCHELL SILBERBERG & KNUPP LLP

MCH/szm

Exhibit 2

COLUMBIA SC 290

21 NOV 2020 PM 2 L



MARK C. HUMPHREY
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18TH FLOOR
LOS ANGELES, CALIFORNIA 90067-3120

90067-312018



Mark C. Humphrey
2049 Century Park East,
18th Floor
Los Angeles, California 90067-3120

November 20, 2020

To Whom It May Concern:

Your correspondence was received with regards to Bungee games. I regret to inform you that I know longer own Aimjunkies.com or any other sites that you named. The referenced sites were sold to Phoenix Digital Group LLC, and Phoenix Digital Group in turn sold them to CallofDutyHacks.RU site owners some time ago. Those are individuals I would suggest you contact with regards to your concerns.

I am requesting that your firm cease from contacting me moving forward, with all related correspondence with regards to the named websites. If you continue to contact me, I will seek legal relief from your harassment.

Thank you,

Jeff Conway

Exhibit 3



1201 Third Avenue
Suite 4900
Seattle, WA 98101-3099

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F +1.206.359.9000
PerkinsCoie.com

December 11, 2020

Holly M. Simpkins
HSimpkins@perkinscoie.com
D. +1.206.359.6474
F. +1.206.359.7474

VIA EMAIL & OVERNIGHT MAIL

Jeffrey Conway
8837 W. Vernon Avenue
Phoenix, AZ 85037
sctejeff@hotmail.com

Re: Response to Your November 20, 2020 Letter

Dear Mr. Conway:

We are counsel to Bungie, Inc. ("Bungie"). We write to follow up regarding your letter dated November 20, 2020 in response to Mr. Humphrey's November 4, 2020 letter.

In your letter, you claim you sold the websites AimJunkies.com, mombotcheats.com, and virtual-advantage.com and assets to Phoenix Digital Group LLC (for which you are a managing member), which then sold the websites and assets to the owners of CallofDutyHacks.RU. Until we receive all documents relating to these transactions along with full and complete contact information for the purported new owners, we will assume that you and/or Phoenix Digital Group LLC still own, control and/or derive benefit from these websites and assets.

Additionally, Bungie reiterates its demand that you provide an accounting of the revenue you and/or Phoenix Digital Group LLC earned from the sale of Destiny 2 cheat software. If the sale of the websites and assets to CallofDutyHacks.RU occurred, Bungie also demands that you provide an accounting of the revenue earned from that sale as well as any ongoing revenue you receive from the sale of Destiny 2 cheat software including but not limited to through a license, royalty or other arrangement.

Preservation of all evidence relevant to the activities described in this or Mr. Humphrey's November 4 letter is required. Destruction or deletion of any evidence may result in serious legal consequences, including severe sanctions. Therefore, we demand that you take appropriate steps to preserve all documents or other evidence relating to this matter.

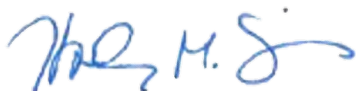
If we do not receive the requested information by **December 18, 2020**, Bungie may take legal action without further notice to you.

If you are represented in this matter by legal counsel, provide this correspondence to that counsel.

Jeffrey Conway
December 11, 2020
Page 2

Bungie reserves all rights and remedies.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Holly M. Simpkins". The signature is fluid and cursive, with a prominent initial "H" and a long, sweeping underline.

Holly M. Simpkins

Exhibit 4



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Bungie Takes Another Shot at Cheat Seller AimJunkies in Court

May 23, 2022 by Ernesto Van der Sar

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Game developer Bungie has refiled its lawsuit against cheat seller AimJunkies.com, which offered the popular 'Destiny 2 Hacks' suite for sale. The amended complaint, filed at a federal court in Seattle, includes more details on the alleged copyright infringements. AimJunkies, meanwhile, reports that it will be taken over by the Ukrainian company Blome Entertainment.

Last summer, Bungie filed a [complaint](#) at a federal court in Seattle, accusing AimJunkies.com of copyright and trademark infringement, among other things.

The same accusations were also made against Phoenix Digital Group, the alleged creators of the software.

The parties initially entered settlement negotiations but the process was derailed when the video game maker moved for a default judgment. In response, AimJunkies went on the defensive, and not without success.



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<https://torrentfreak.com/bungie-takes-another-shot-a-cheat-seller-aimjunkies-in-court-220523/>

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Thu Jun 09 2022 12:57:05 GMT-0700 (Pacific Daylight Time)

the defensive, and not without success.

AimJunkies argued that cheating isn't against the law. In addition, it refuted the copyright infringement allegations; these lacked any substance and were ungrounded because some of the referenced copyrights were registered well after the cheats were first made available.

Court Dismissed Bungie's Copyright Claims

A few weeks ago, U.S. District Court Judge Thomas Zilly largely sided with AimJunkies. The original complaint didn't provide sufficient evidence for a plausible claim that the 'Destiny 2 Hacks' infringed any copyrights.

This was a severe blow for Bungie but the court did offer the game maker the option to file a new complaint to address these shortcomings.

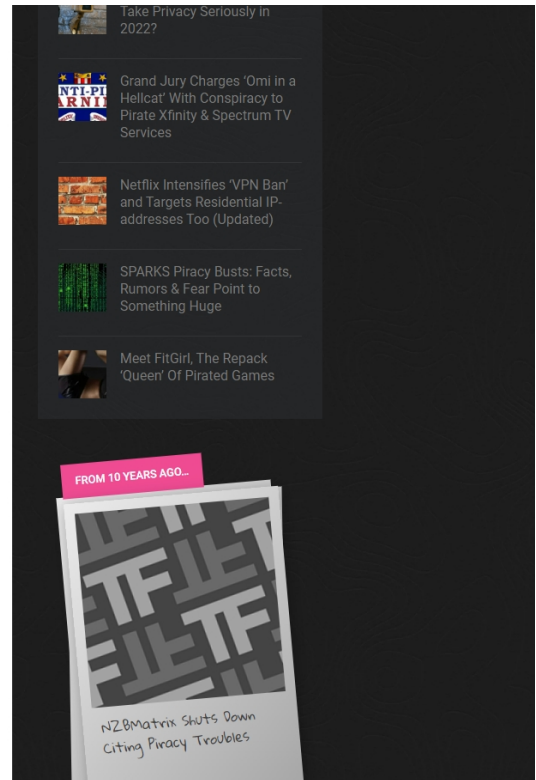
Bungie seized the opportunity to 'respawn' and filed an amended complaint at the U.S. District Court in Seattle late last week. This new complaint adds more details to the copyright infringement claims as well as the role of several key persons that are allegedly involved.

The game maker starts out by stressing the damage cheaters cause to the game experience, which eventually ruins the fun for legitimate players.

"Cheaters ruin the experience of playing Destiny 2. Not only do cheaters impair the enjoyment of gameplay by non-cheaters with whom they interact in-game; cheaters illegitimately obtain and thereby devalue the in-game rewards that non-cheaters obtain legitimately.

"It is vital to Bungie's and Destiny 2's success that Bungie keep cheaters out of the game," the complaint reads.

Reverse Engineered Code & Infringing Data Structures



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Reverse Engineered Code & Mimicking Data Structures

In addition to listing AimJunkies.com as a defendant, Bungie also targets the associated company Phoenix Digital and its three managing members; David Schaefer, Jeffrey Conway, and Jordan Green. The final defendant is James May, who was allegedly involved in the development of the cheats.

These men were all allegedly involved in the development of the cheat software. In that process, they are believed to have reverse-engineered the copyrighted game content.

"In order to create that cheat software, and on information and belief, Mr. Schaefer, Mr. Conway, Mr. Green and Mr. May reverse engineered and copied the software code for Destiny 2," Bungie writes.

Among other things, Bungie claims that the cheat relies on copyrighted data structures that are specifically used for Destiny 2's rendering. This was supposedly used for the ESP feature, for example, which allows cheaters to see other players through solid walls.

"On information and belief, in order to provide this ESP feature, Defendants copied the Destiny 2 software code that corresponds to the data structures for player positioning [in] Destiny 2, and reverse engineered the software code for Destiny 2's rendering functions."

8 81. For example, Defendants' *Destiny 2* cheat software included a feature called
9 "ESP," which allowed users of Defendants' cheat software to see other *Destiny 2* players and
10 non-player characters through solid walls by displaying a distinct box around the other players,
11 displaying the players' names, and the distance between the cheating and non-cheating players.
12 A screenshot of this feature of Defendants' cheat software is shown below:

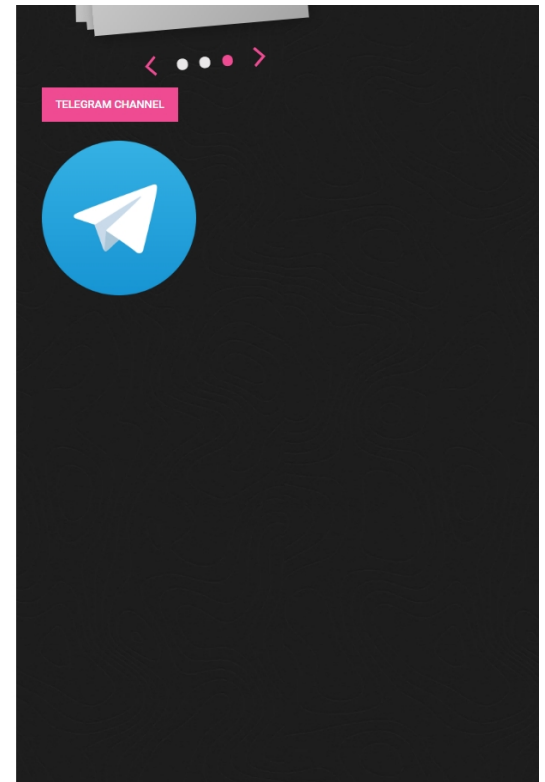


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The new complaint also claims that the defendants effectively created a derivative of some of the copyrighted Destiny 2 code and distributed that without permission to people who bought the cheats.

The new copyright claims are indeed more detailed than those alleged in the original complaint. Whether this will be enough for the court to allow the case to continue remains to be seen.

“Veiled Threat”

AimJunkies no longer offers the cheat on its website but Bungie wants to continue the case nonetheless. The game maker is worried that the cheats may be relisted at a later date, sold to a third party, or shared online for free.

The last option was previously mentioned by AimJunkies director Mr. Schaefer, who allegedly issued a veiled threat to Bungie’s CEO over email.

“In the old days sites would put the source code on public forums for every 14yo to get and make a hack for your game. Most of the time when they do it [sic] they make it a free public cheat accessible to everyone,” the email read.

“Imagine players having access to cheats for free? I don’t think anyone wants to go back to those days. The net would be you would have more cheaters in your game then [sic] before the crusader came in. Is that what you’re looking for in your game?”

Ukrainian Deal

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Selling AimJunkies to a third party is a realistic option too. In the amended complaint Bungie references a TorrentFreak article where AimJunkies states that it was in the process on selling the company to a group of Ukrainian investors.

19 100. Defendants now appear to be trying to follow through on that threat. Defendants
20 are reportedly attempting to sell the AimJunkies website, and on information and belief the
21 associated cheat software, to third parties in an attempt to evade liability and perpetuate the
22 propagation of their cheat software, including the *Destiny 2* cheat. On April 28, 2022, it was
23 reported that Defendants “are in the final stages of selling the AimJunkies websites to a
24 Ukrainian group of investors.”

This sale is still on, AimJunkies informed us over the weekend. Today, the company issued a press release together with the Ukrainian company Blome Entertainment (BME), confirming their intentions.

According to the [press release](#), BME completed and signed definitive agreements with AimJunkies to acquire “Aimjunkies.com.” The cheat seller will, however, continue to operate independently.

“In BME, we have found a purchasing partner that fully supports us and wants to accelerate our vision of distributing meaningful entertainment experiences that span generations, all while valuing the creative independence that is the heartbeat of Aimjunkies,” Phoenix Digital CEO David Schaefer comments on the announcement

“Aimjunkies has distributed and continues to distribute some of the world’s most beloved videogame cheats and, by aligning its values with people’s desire to share gameplay cheat experiences in Eastern Europe, they bring together millions of people around the world,” BME CEO Maxim Arshinov adds.

What the forthcoming acquisition means for the legal battle is not immediately clear, but we will keep a close eye on developments.

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A copy of the amended complaint filed by Bungie against Phoenix Digital Group and several of its employees at the Seattle federal court is available [here \(pdf\)](#).

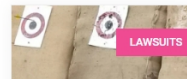
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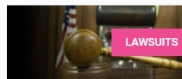
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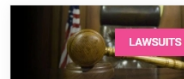
Court Dismisses Bungie's Copyright Claims Against Cheat Seller AimJunkies, For Now

April 28, 2022, 11:55
by Ernesto Van der Sar



Bungie vs Fake DMCA Notices: Google Refuses to Hand Over User Data

April 7, 2022, 18:28
by Andy Maxwell



Bungie Files Lawsuit to Punish Senders of Fake Destiny DMCA Notices

March 28, 2022, 09:19
by Andy Maxwell

URL

<https://torrentfreak.com/bungie-takes-another-shot-a-cheat-seller-aimjunkies-in-court-220523/>

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Ukrainian BME To Acquire Leading Independent US Videogame Cheat Distributor, Aimjunkies

KYIV, Ukraine.- Blome Entertainment ("BME") announced today that it has completed and signed definitive agreements with Phoenix Digital Group LLC("PDG"), to acquire "Aimjunkies.com" a premier independent videogame cheat retailer that has distributed some of the videogame industry's most highly-acclaimed cheats. This acquisition will give BME access to Aimjunkies's world-class cheat library and approach to live game cheats services and technology expertise, furthering BME's vision to reach billions of players. Aimjunkies will continue to operate independently, maintaining the ability to self-distribute and reach players wherever they choose to play.

Based in Phoenix Arizona and with more than 90 volunteer staff and 50 independent contractor cheat developers around the world, Aimjunkies is renowned for distributing unforgettable, evolving cheats centered around high-quality gameplay experiences that foster meaningful player connections. Currently, the team is focused on the long-term development of its hugely successful distribution platform, expanding the game cheat universe, and creating entirely new worlds in future IP. The total financial consideration for this transaction is undisclosed, but is inclusive of purchase price and committed volunteer incentives, and is subject to customary working capital and other adjustments.

"Aimjunkies has distributed and continues to distribute some of the world's most beloved videogame cheats and, by aligning its values with people's desire to share gameplay cheat experiences in Eastern Europe, they bring together millions of people around the world," said Maxim Arshinov, Chairman, President and CEO, BME. "As part of our purpose to 'continue through all of the turmoil our country is enduring', we will utilize BME's diverse array of IP and technology assets worldwide to support further evolution of Aimjunkies and its ability to distribute iconic cheats across multiple platforms and media."

"In BME, we have found a purchasing partner that fully supports us and wants to accelerate our vision of distributing meaningful entertainment experiences that span generations, all while valuing the creative independence that is the heartbeat of Aimjunkies," said David Schaefer, CEO and Chairman of PDG. Aimjunkies. "Will continue pursuing the vision of one, unified Aimjunkies community, distributing cheats that value our community and meet them wherever and however they choose to play. Both Aimjunkies and BME believe that game cheat worlds are only the beginning of what our IP will become. Our original universes have immense potential and, with BME's support, this will propel Aimjunkies into becoming a global multi-media entertainment company dedicated to delivering on our creative vision."

Post-acquisition, Aimjunkies will be an independent subsidiary of BME and run by its Board of Directors, chaired by Maxim Arshinov and Aimjunkie's current site management team. Phoenix Digital Group LLC has released to BME all equity and property rights for Aimjunkies.com,VirtualAdvantage.com and Mombot.com. The transaction is subject to certain closing conditions.

About BME Entertainment

Recognized as a leader in Eastern Europe interactive and digital entertainment, Blome Entertainment (BME) is a Ukrainian based corporation responsible for the sale and distribution of video game cheats around the world predominately in Eastern Europe and the Asia's..

About Aimjunkies

Aimjunkies is based in Phoenix Arizona, dedicated to creating hopeful worlds that inspire passionate player communities for video game cheaters and non cheaters alike with lifelong friendships between both groups. For more than a decade, Aimjunkies.com has worked towards that vision, distributing cheats and outstanding customer support for some of the world's most celebrated video game franchises.. Aimjunkies is focused on developing the future of the cheat universe with new opportunities to come.

Contacts

Andreas Banek
Sr. Global Communications Manager, Blome Entertainment
banekandreas@protonmail.com

Warren Apenzeller
Director of Global Communications, Aimjunkies
admin@aimjunkies.com

Exhibit 5



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JAPANESE

1.31.2022

Sony Interactive Entertainment

SONY INTERACTIVE ENTERTAINMENT TO ACQUIRE LEADING INDEPENDENT VIDEOGAME DEVELOPER, BUNGIE

PlayStation and Bungie Continue Focus on Growing the Gaming Community, while Bungie Remains Multi-platform[Tweet](#) [Share 0](#)

SAN MATEO, Calif., January 31, 2022 – Sony Interactive Entertainment LLC (“SIE”) announced today that it has entered into definitive agreements to acquire Bungie, Inc. (“Bungie”), a premier independent videogame developer and long-time partner of SIE that has created some of the videogame industry’s most highly-acclaimed franchises, including *Halo* and *Destiny*. This acquisition will give SIE access to Bungie’s world-class approach to live game services and technology expertise, furthering SIE’s vision to reach billions of players. Bungie will continue to operate independently, maintaining the ability to self-publish and reach players wherever they choose to play.

Based in Bellevue, WA and with more than 900 employees, Bungie is renowned for creating unforgettable, evolving worlds centered around high-quality gameplay experiences that foster meaningful player connections. Currently, the team is focused on the long-term development of the hugely successful *Destiny 2*, expanding the Destiny universe, and creating entirely new worlds in future IP. The total consideration of this transaction is 3.6 billion U.S. dollars, inclusive of purchase price and committed employee incentives, and is subject to customary working capital and other adjustments.

“Bungie has created and continues to evolve some of the world’s most beloved videogame franchises and, by aligning its values with people’s desire to share gameplay experiences, they bring together millions of people around the world,” said Kenichiro Yoshida, Chairman, President and CEO, Sony Group Corporation. “As part of our Purpose to ‘fill the world with emotion, through the power of creativity and technology’, we will utilize the Sony Group’s diverse array of entertainment and technology assets to support further evolution of Bungie and its ability to create iconic worlds across multiple platforms and media.”

“We’ve had a strong partnership with Bungie since the inception of the Destiny franchise, and I couldn’t be more thrilled to officially welcome the studio to the PlayStation family,” said Jim Ryan, President and CEO, SIE. “This is an important step in our strategy to expand the reach of PlayStation to a much

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the PlayStation family, and with Sony's reputation and history, the new acquisition step in our strategy to expand our reach to a much wider audience. We understand how vital Bungie's community is to the studio and look forward to supporting them as they remain independent and continue to grow. Like Bungie, our community is core to PlayStation's DNA, and our shared passion for the gamer and building the best place to play will now evolve even further."

"In SIE, we have found a partner that fully supports us and wants to accelerate our vision of creating meaningful entertainment experiences that span generations, all while valuing the creative independence that is the heartbeat of Bungie," said Pete Parsons, CEO and Chairman, Bungie. "We will continue pursuing our vision of one, unified Bungie community, building games that value our community and meet them wherever and however they choose to play. Both Bungie and SIE believe that game worlds are only the beginning of what our IP will become. Our original universes have immense potential and, with SIE's support, we will propel Bungie into becoming a global multi-media entertainment company dedicated to delivering on our creative vision."

Post-acquisition, Bungie will be an independent subsidiary of Sony Interactive Entertainment and run by its Board of Directors chaired by Pete Parsons and Bungie's current management team. The transaction is subject to certain closing conditions, including regulatory approvals.

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About Sony Interactive Entertainment

Recognized as a global leader in interactive and digital entertainment, Sony Interactive Entertainment (SIE) is responsible for the PlayStation® brand and family of products and services. PlayStation has delivered innovation to the market since the launch of the original PlayStation in Japan in 1994. The PlayStation family of products and services include PlayStation®5, PlayStation®4, PlayStation®VR, PlayStation™Store, PlayStation®Plus, PlayStation™Now, and acclaimed PlayStation software titles from PlayStation Studios. Headquartered in San Mateo, California, SIE is a wholly owned subsidiary of Sony Group Corporation and has global functions in California, London and Tokyo.

About Bungie

Bungie is a videogame studio based in Bellevue, Washington, dedicated to creating hopeful worlds that inspire passionate player communities and lifelong friendships. For more than three decades, Bungie has worked towards that vision, creating some of the world's most celebrated video game franchises, including *Marathon*, *Myth*, *Halo*, and *Destiny*. Bungie is focused on developing the future of the *Destiny* universe and new worlds to come.

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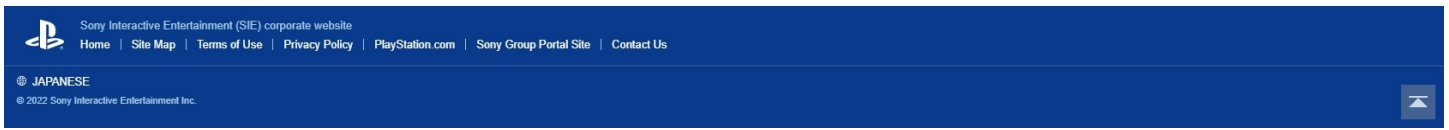
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Exhibit 6

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